

IPW

D-410

UNITED STATES PATENT AND TRADEMARK OFFICE

PATENT

In re application of:

MARMO ET AL.

) Group Art Unit: 3738

Serial No. 10/661,400

)
) Examiner: N/A

Filed: September 12, 2003

For: DEVICES AND METHODS FOR
IMPROVING VISION

)
)
)
)
)
)

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450, on or before

Title

Date

May 13, 2004
Frank J. Uxa
att
5/13/04

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

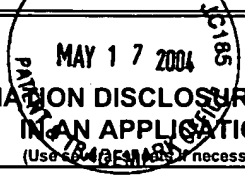
Applicant wishes to call to the attention of the Examiner the documents cited on the accompanying Form PTO-1449. No concession is made that these documents are prior art, and applicant expressly reserves the right to antedate the documents as may be appropriate. This Information Disclosure Statement is being filed before the first office action has been received from the Patent and Trademark Office in the above-identified application.

Respectfully submitted,

Frank J. Uxa

Frank J. Uxa
Attorney for Applicant
Reg. No. 25,612
4 Venture, Suite 300
Irvine, CA 92618
(949) 450-1750
Facsimile (949) 450-1764

FJUxa/ac.

		Form PTO-1449		Docket No.: 4108		Application No.: 10/661,400	
INFORMATION DISCLOSURE CITATION IN AN APPLICATION <small>(Use only if necessary)</small>				Applicant: Marmo et al.			
				Filing Date: 09/12/03		Group Art Unit: 3738	
U. S. PATENT DOCUMENTS							
EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE	
	5044743	09/03/91	Ting				
	5171318	12/15/92	Gibson et al.				
	5192316	03/09/93	Ting				
	5433745	07/18/95	Graham et al.				
	5470831	11/28/95	Whitman et al.				
	5713957	02/03/98	Steele et al.				
	5827641	10/27/98	Parenteau et al.				
	5836313	11/17/98	Perez et al.				
	5994133	11/30/99	Meijs et al.				
	6284537	09/04/01	Offord Cavin et al.				
	6361560	03/26/02	Nigam				
	6585375	07/01/03	Donitzky				
	US2001/0018612	08/30/01	Carson et al.				
FOREIGN PATENT DOCUMENTS							
	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
						YES	NO
	WO 93/07889	04/29/93	WIPO				
	WO 94/16570	08/04/94	WIPO				
	WO 99/37752	07/29/99	WIPO				
	WO 00/07525	02/17/00	WIPO				
OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)							
	AA	Tsai et al., "Reconstruction of damaged corneas by transplantation of autologous limbal epithelial cells", The New England Journal of Medicine, Volume 343 #2, pg 86-93, 07/13/00.					
	AB	Han et al., "A fibrin-based bioengineered ocular surface with human corneal epithelial stem cells", Cornea, Vol. 21 No. 5 2002, pg 505-510.					
	AC	Miyajima, Hiroko., "At issue: the next generation of microkeratomes", Ocular Surgery news Europe/Asia-Pacific edition, Feb. 2002 5pgs.					
	AD	Ophthalmology Times, "New LASIK device: CIBA vision to market subepithelial seperator", August 1, 2002.					
	AE	Online article, Ciba Vision website, "research and development" "Sub-epithelial Seperator", no date given.					
	AF	Burrill, Alicia., "Gel-Assisted Lasek", Cataract & Refractive Surgery Today, no date given.					
EXAMINER				DATE CONSIDERED			
<small>EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP § 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to the applicant.</small>							

Form PTO-1449 INFORMATION DISCLOSURE CITATION IN AN APPLICATION (Use several sheets if necessary)		Docket No.: 4108 Applicant: Marmo et al. Filing Date: 09/12/03		Application No.: 10/661,400 Group Art Unit: 3738		
U. S. PATENT DOCUMENTS						
EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	US2001/0047203	11/29/01	Dalton et al.			
	US2002/0007217	01/17/02	Jacob et al.			
	US2002/0039788	04/04/02	Isseroff et al.			
	US2002/0052596	05/02/02	Pallikaris et al.			
	US2002/0055753	05/09/02	Silvestrini			
	US2002/0065555	05/30/02	Nigam			
	US2003/0018347	01/23/03	Pallikaris et al.			
	US2003/0018348	01/23/03	Pallikaris et al.			
	5,774,545	04/28/98	Rhee et al.			
	6,454,802	09/24/02	Bretton et al.			
	6,544,286	04/08/03	Perez			
	US2003/0220653	11/27/03	Perez			
FOREIGN PATENT DOCUMENTS						
	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION YES NO
	WO 02/06883	01/24/02	WIPO			
	2305608	04/16/97	UK			
	WO 98/31316	07/23/98	WIPO			
OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)						
	AA	Nader, Nicole. "Learning a new language: understanding the terminology of wavefront-guided ablation", Ocular Surgery News, Feb. 1 st 2003, found on OSN Supersite, 5 pgs.				
	AB	"Licensing agreement for automated microkeratome-based device" found online at: http://www.optical-world.co.uk/Aug%202002%20international_outlook.htm , no author given, printed on September 13, 2002.				
	AC	Shimmura et al. "Collagen-Poly (N-Isopropylacrylamide)-Based Membranes for Corneal Stroma Scaffolds", Cornea Vol. 22(Suppl. 1):S81-8.				
	AD	Shimmural et al. "Biocompatibility of Collagen-Based Blended Biomaterials" Invest Ophthalmol Vis Sci 2002;43: E-Abstract 2997 (c) 2002 ARVO.				
	AE	Jeong et al., "Thermosensitive sol-gel reversible hydrogels" Adv. Drug Deliv. Rev., 54:37-51 (2002)				
	AF	Vernon et al., "Thermally Reversible Polymer Gels for Biohybrid Artificial Pancreas" Macromol. Symp., 109:155-167 (1996)				
	AG	Stile et al., "Synthesis and Characterization of Injectable Poly(N-isopropylacrylamide)-Based Hydrogels That Support Tissue Formation in Vitro" Macromolecules, 32:7370-9 (1999)				
EXAMINER			DATE CONSIDERED			
EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP § 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to the applicant.						

Form PTO-1449			Docket No.: 4108		Application No.: 10/661,400	
INFORMATION DISCLOSURE CITATION IN AN APPLICATION <small>(Use several sheets if necessary)</small>			Applicant: Marmo et al.			
			Filing Date: 09/12/03		Group Art Unit: 3738	
U. S. PATENT DOCUMENTS						
EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	4,780,409	10/25/88	Monji et al.			
	5,330,911	7/19/94	Hubbell et al.			
	6,030,634	2/29/00	Wu et al.			
	6,103,528	8/15/00	An et al.			
	6,271,278	8/7/01	Park et al.			
	6,323,278	11/27/01	Rhee et al.			
	6,384,105	05/7/02	He et al.			
	6,388,047	5/14/02	Won et al.			
	6,566,406	5/20/03	Pathak et al.			
FOREIGN PATENT DOCUMENTS						
	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION
						YES NO
	WO 04/014969	02/19/04	WIPO			
	WO 04/015090	02/19/04	WIPO			
OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)						
	AA	Stile et al., "Poly(<i>N</i> -isopropylacrylamide)-Based Semi-interpenetrating Polymer Networks for Tissue Engineering Applications. 1. Effects of Linear Poly(acrylic acid) Chains on Phase Behaviour" Biomacromolecules 3:591-600 (2002)				
	AB	Stile et al., "Thermo-Responsive Peptide-Modified Hydrogels for Tissue Regeneration" Biomacromolecules 2:185-194 (2001)				
	AC	Hicks et al., "Keratoprosthesis: Advancing Toward a True Artificial Cornea" Surv. Ophthalmol. 42:175-189 (1997)				
	AD	Trinkaus-Randall and Nugent, "Biological Response to a Synthetic Cornea" Controlled Release 53:205-214.				
	AE	Gutowska et al., "Thermosensitive Interpenetrating Polymer Networks: Synthesis, Characterization, and Macromolecular Release" Macromolecules, 27:4167-4175 (1994).				
	AF	Yoshida et al., "Comb-type Grafted Hydrogels with Rapid De-Swelling Response to Temperature Changes" Nature, 374:240-242 (1995).				
	AG	Lynn & Langer, "Degradable Poly(β -amino esters): Synthesis, Characterization, and Self-Assembly with Plasmid DNA" J. Amer. Chem. Soc., 122:10761-10768 (2000)				
EXAMINER			DATE CONSIDERED			
<small>EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP § 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to the applicant.</small>						

Form PTO-1449			Docket No.: 4108		Application No.: 10/661,400		
INFORMATION DISCLOSURE CITATION IN AN APPLICATION <small>(Use several sheets if necessary)</small>			Applicant: Marmo et al.				
			Filing Date: 09/12/03		Group Art Unit: 3738		
U. S. PATENT DOCUMENTS							
EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE	
	5,722,971	03/03/98	Peyman				
	5,919,185	07/06/99	Peyman				
	5,964,748	10/12/99	Peyman				
	6,063,073	05/16/00	Peyman				
	6,197,019	03/06/01	Peyman				
	6,203,538	03/20/01	Peyman				
	6,217,571	04/17/01	Peyman				
	6,221,067	04/24/01	Peyman				
	6,280,470	08/28/01	Peyman				
	6,551,307	04/22/03	Peyman				
	6,702,807	03/09/04	Peyman				
	2003/0093083	05/15/03	Peyman				
	2001/0027314	10/04/01	Peyman				
	2001/0034516	10/25/01	Peyman				
	2002/0138069	09/26/02	Peyman				
	2004/0015234	01/22/04	Peyman				
FOREIGN PATENT DOCUMENTS							
	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
						YES	NO
OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)							
EXAMINER			DATE CONSIDERED				
<small>EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP § 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to the applicant.</small>							